(4)

c/f 2005

IN THE HIGH COURT OF JUDICATURE AT BILASPUR, CHHATTISGARH

WRIT PETITION No. 1492 OF 2002

PETITIONER

1. State of Chhattisgarh through the Secretary, Public Works Department, Govt. Of Chhattisgarh, DKS Building, Mantralaya, Raipur (Chhattisgarh)

2. Chief Engineer (East), Public Works Department, Raipur (Chhattisgarh)

P. R. No. 1492/02
Presented by Shri P. S. Kaushik (Adv.)
dated 9.4.02

Versus

RESPONDENT

R. K. Jain, aged about 63 years, S/o Late Shri M. L. Jain, retired Assistant Engineer, Public Works Department, resident, C/o Dr. A. K. Jain 6/2, Meera Complex, M. P. Nagar, Zone-III, Bhopal

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

XI-HC-22

(25)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक WP 1492 सन् 2002

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

DB: Hon'ble Justice K. H. N. Kuranga, C.J.
& Hon'ble Justice L. C. Bhadoo, J.
20.6.2003

Petitioners/State by Shri Ayaj Naved, Govt. Advocate.

Heard.

The petitioners/State by this petition under Article 227 of the Constitution of India have challenged the order passed by the M.P. Administrative Tribunal, Bench at Bhopal dated 13th December, 2001 passed in Original Application No. 1014 of 2000 by which learned Tribunal has quashed the enquiry which was instituted by the State Government against Shri R.K.Jain (respondent) on the ground that as per the provisions of Rule 9 (2) (b) of the Madhya Pradesh Civil Services (Pension) Rules 1976 such departmental proceedings could be instituted after the retirement of the employee after the four years of the date of the event and in the present case the last date of the misconduct of the respondent was 9.10.1992 and the enquiry was not instituted within four years therefore learned Tribunal came to the conclusion that the enquiry was conducted after the mandatory provisions prescribed under the Rules.

We have heard Shri Ayaj Naved, learned counsel for the petitioners/State. He is not able to point out any illegality or infirmity in the impugned order, therefore we are of the opinion that there is no merit and no force in this petition. As there is no illegality or infirmity in the order passed by the learned Tribunal, the petition is liable to be dismissed and the same is dismissed.

Sd/-
Chief Justice

Sd/-
L.C.BHADOO
Judge

Thakur

[पीछे देखिये